IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 3761 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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HABIBKHAN RAHEMANKHAN PATHAN - Petitioner(s)

Versus

AMOD GROUP GRAM PANCHAYAT - Respondent(s)

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Appearance :

MR UM SHASTRI for Petitioner(s) : 1,
None for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 05/12/2005

ORAL JUDGMENT

The petitioner was granted Ijjara for collection of octroi by the gram panchayat. On 21/4/1997 a communication was made to the petitioner by the Sarpanch

of the gram panchayat, in which it was conveyed to the petitioner that for the Ijjara granted to him for the year 1997-1998 if permission from Taluka Development Officer is not granted, the Ijjara shall be cancelled. The petitioner challenged this communication by filing present petition. During the pendency of the petition, interim relief was granted to the petitioner against implementation of the communication dated 21/4/1997. The petitioner, therefore, was permitted to continue to collect the octroi for the year 1997-1998. The main prayer of the petitioner was, therefore, granted. By passage of time, therefore, nothing further is required to be decided in the petition. The same is disposed of accordingly. Rule is discharged with no order as to costs.

(Akil Kureshi, J.)

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